



REGULATIONS

on the Organization and Operation of the Academic Ethics Committee

I. General provisions

Art. 1. The Academic Ethics Committee (hereinafter called CEU) is a structure of Transilvania University of Braşov, deliberative, without legal entity, independent in the exercise of its attributions of any other structure or person within the higher education institution, which sees to the compliance with the norms of academic ethics and deontology, including by analysing the notifications and sanctioning the infringements of the academic ethics, in accordance with the Code of Academic Ethics and Deontology. The Committee conducts its activity throughout the academic year, except for the student holidays, according to the structure of the academic year, as approved by decision of the University Senate.

Art. 2. CEU is formed and conducts its activity based on the following legal documents:

- Law of Higher Education no. 199 of 2023, with subsequent amendments;
- Order of the Ministry of Education no. 6869 of 2024 for the approval of the Framework Regulations on the Organization and Operation of the Academic Ethics Committees;
- Charter of Transilvania University of Braşov;
- Code of Academic Ethics and Deontology, an integral part of the Charter;
- and any other applicable legal documents.

Art. 3. The organization, operation and specific working procedure of the Academic Ethics Committee are set in these Regulations of Operation, approved by the University Senate.

II. Rules on the organization and duties of CEU

Art. 4. (1) The structure and membership of CEU is established by the Executive Board by vote, endorsed by the University Senate and approved by the Rector by decision for a four-year mandate, except for the objective replacement of the members nominated at the beginning of its mandate, who continue their predecessors' term of office until its completion. The members of the Committee must have professional prestige and moral authority, must not have been sanctioned criminally, disciplinarily or for infringements of the academic ethics, and must have acknowledged skills in scientific research/ ethics of research (as regards the members of the research ethics subcommittee).

(2) If a person validated in the Academic Ethics Committee is in a situation of incompatibility, s/he has 15 working days to clear him/herself of this situation. The following positions are situations of incompatibility with the status of member in the Academic Ethics Committee (CEU): Rector, President of University Senate, vice-rector, dean, vice-dean, general administrative manager, deputy general administrative manager, director of department, director of subsidiary, director of branch, as well as director of research and development facility, design facility or microproduction facility in the higher-education institution.

(3) The 4-year mandate starts on the date the Rector approves the CEU based on the endorsement of the Senate. If the labour contract of a CEU member ceases by law, his/her status as a CEU member subsequently ceases, too.

(4) CEU is made up of 11 full members and 4 alternates. Among the full members: 6 members will be teaching and/or research personnel, 2 members will be auxiliary teaching personnel, and 2 members will have the status of student. Within the Committee, a research ethics subcommittee operates as well, which consists of 3 teaching and/or research personnel and one member who is a student representative, appointed mainly from among the doctoral or graduate students, and who is elected by the students in the Ethics Committee.

(5) The alternate members will be 1 auxiliary teaching personnel, 2 teaching or research personnel, and 1 member from among the students (it is recommended that s/he be at least a graduate student).

(6) With a view to appointing members in CEU, the Executive Board publicly informs the academic community, and the persons interested in occupying a position in this committee may apply, in writing, to the Rector, according to the calendar transmitted in the public information. In their cover letters, everyone interested must specify if they also want to be part of the Research Ethics Subcommittee. Given the specialised activity of the Research Ethics Subcommittee, it is recommended that the members of this subcommittee have acknowledged skills in research/ethics of research (for example, they have expertise proven by publications dedicated to scientific research ethics, have been part of research ethics committees or have remarkable results in scientific research).

(7) The student representatives in CEU, including the alternates, are elected according to its procedures, and the representative in the Research Ethics Subcommittee is elected by the students appointed in the Ethics Committee.

(8) Within CEU, a secretariat will operate, provided by a secretary, employee of the University who is not a Committee member (does not have voting rights). S/he is responsible for managing the documents of the Committee, ensures the communication between the Committee and the persons involved in the issues referred to the Committee, and writes the minutes for the working meetings of the Committee.

Art. 5. (1) The Research Ethics Subcommittee will coordinate three working groups made up of experts in bioethics, experts in humanities research ethics and experts in animal research ethics. Each group consists of 3 teaching and/or research personnel members, as active experts, and 2 teaching and/or research personnel members as alternate experts.

(2) The members of the Research Ethics Subcommittee have a role in implementing the research ethics policies, in accordance with the rules of scientific research ethics, which must cover the following aspects: publication and authorship, respect for the dignity of the participants in the research, compliance with the research ethics norms conducted on human subjects, experiments on animals, as well as other bioethical norms, research data management, collaboration, conflicts of interest, fraud, provision of efficient research environments, as well as prevention of harm in research and innovation; moreover, they coordinate the issuance of opinions on the compliance with the research activity ethics.

(3) Each of the 3 teaching and/or research personnel members in the Research Ethics Subcommittee mentioned in art.4 para. (4) second sentence, coordinates a working group of experts (hereinafter referred to as working groups). The method of appointment will be established during the first meeting of the subcommittee under CEU.

(4) The members of the expert working groups are appointed by the Executive Board based on the proposals of the faculties, the expertise in every field of each working group being proven according to the same principles as in the case of the members of the Research Ethics Subcommittee.

(5) The activity of the working groups consists in offering specialised support to the Research Ethics Subcommittee for each of the three abovementioned fields. Each teaching and/or research personnel member in the subcommittee is appointed as coordinator of an expert working group. Each expert working group will issue an opinion on the research subject to verification of the ethical aspects, which is communicated to the members of the Ethics Subcommittee by the member who coordinates the group.

(6) The activity of the working group of experts in bioethics consists in verifying the ethical aspects related to:

- i. compliance with the ethical norms of biomedical research conducted on human subjects, including the management of the research data, collaboration, conflicts of interest, fraud, provision of efficient research environments, publication and authorship, as well as prevention of harm in biomedical research and innovation;
- ii. respect for the dignity of the human participants in the biomedical research;
- iii. other norms of bioethics.

(7) The activity of the working group of experts in humanities research ethics consists in verifying the ethical aspects of humanities research related to:

- i. compliance with the ethical norms of humanities research involving human participants, including publication and authorship, research data management, collaboration, conflicts of interest, fraud, provision of efficient research environments, prevention of harm in humanities research and innovation;
- ii. compliance with the principles of humanities research ethics: participants' protection, promotion of the participants' wellbeing, promotion of accuracy, honesty and truth, fairness and recognition of the limits of competence, respect for people's dignity and value, for their right to privacy, confidentiality and self-determination, and more.

(8) The activity of the working group of experts in animal research ethics consists in verifying the ethical aspects related to:

- i. compliance with the ethical norms of the research and experiments on animals, including purchase, breeding and sheltering of the animals used in research experiments, care for and use of the animals in procedures, need for the use of animals in research;
- ii: other ethical aspects of animal research.

(9) The activity of the Research Ethics Subcommittee and of the expert groups is also conducted by using remote/online communication means, both as regards the analysis for the issuance of the opinion, but also for the issuance of the subcommittee's opinion and approval.

Art. 6. (1) At the beginning of their term of office, during the first meeting of the Committee, its members elect by secret ballot a president and a deputy president from among the Committee members, except for the members with the status of student. It is recommended that the deputy president be a member of the research ethics subcommittee.

(2) The president and the deputy president are responsible for the organization and conduct of the activity of CEU, respectively for the activity of the subcommittee.

(3) The meetings of CEU are chaired by the president and, in his/her absence, by the deputy president of the Committee. The Committee passes, on any notification, reports and decisions or rulings, as the case may be.

(4) The reports, decisions and rulings of CEU are adopted by a simple majority of the participants in the meeting and are signed by the president of CEU or, as the case may be, by the deputy president.

(5) The decisions of CEU as regards the opinions on the compliance with the research ethics are adopted in the plenum of CEU, and remote/online communication means may also be used to organise the meeting, taking into account the opinion of the expert working group and the validation of the Research Ethics Subcommittee.

(6) CEU shall meet quarterly, in ordinary session, and whenever necessary, in extraordinary sessions. The Academic Ethics Committee meets in ordinary session, at its president's summons or, in case of his/her justified absence, at the vice-president's summons.

The meeting quorum is at least 7 members of their total number, at the first summons; and at the second summons, the quorum is at least 6 members. The second summons cannot be made earlier than 48 hours after the first summons.

(7) The extraordinary meeting is convened by the president of CEU or at one third of the committee members' written request. The president of CEU will establish the date, time and place at which the meeting will take place, and will make the draft agenda which s/he will submit for approval to CEU as soon as it convenes.

Art. 7. (1) CEU has the following duties:

- a) to oversee, within the institution, the compliance with the codes of academic ethics and deontology;
- b) to ensure the fulfilment of the orders of the Minister of Education for compliance with the legal framework in the field of academic ethics and deontology;
- c) to analyse and solve the infringements of the academic ethics and deontology, based on self or third-party notices;
- d) to contribute to the drafting of the Code of Academic Ethics and Deontology, through proposals addressed to the University Senate for adoption and inclusion in the University Charter;
- e) to make an annual report on the compliance with the rules of academic ethics and deontology, which is presented to the Rector and the University Senate, and which is a public document;
- f) to conduct prevention activities as regards the infringement of the academic ethics and deontology rules;
- g) to oversee the conduct of the courses on academic ethics and integrity;
- h) to submit the Regulations on the Organization and Operation of the Ethics Committees to the University Senate for adoption;
- i) to collaborate with the advisory committees at the national level;
- j) any other duties provided for in the Law of Higher Education no. 199/2023 (LIS 199/2023) or set according to the University Charter.

III. Procedure for the settlement of notifications or complaints

Art. 8. (1) The notifications or complaints are settled by CEU in compliance with the legal provisions in force, as well as with the procedure provided for in these Regulations.

(2) Any person, inside or outside the University, may notify CEU on the perpetration of an act that might constitute an infringement of the academic ethics and deontology by the academic community members. The notification can be made in writing or online in accordance with the provisions of art. 171 para. (4) of LIS and shall be lodged with the registry office of the education institution. The legal system (according to the Labour Code) as regards the general statute of limitation of the sanctions in case of disciplinary offences does not apply to the deviations from the academic ethics. The complainant's identity shall be kept confidential during the investigation, meaning that his/her identification data will not be mentioned on the documents made public on the website of UNITBV, under the law.

(3) Anonymous complaints or those in which the petitioner's identification data are not mentioned and which refer to acts of sexual harassment committed in UNITBV or regarding UNITBV employees will be analysed by CEU without further verifying the admissibility conditions mentioned in art.9, lett. b) pt. i-ii.

Art. 9 (1) CEU shall convene under the applicable legal provisions, as well as the ones hereof.

(2) Within at most 5 calendar days from lodging the notification with the Registry Office of Transilvania University of Braşov, on which date the notification is also communicated for registration with the Secretariat of CEU, CEU will convene for its first meeting in order to settle the notification.

(3) The summons is made by the president of CEU or, in case of his/her reasoned absence, by the deputy president of CEU.

(4) During this first meeting, CEU:

- a) if finding itself not materially competent to settle the notified matters, will decline its jurisdiction, through a written report. This report will be communicated to the Rector of Transilvania University of Braşov who, at the proposal of the Executive Board, will establish the competent committee, body, structure, institution or authority and will redirect the notification thereto.
- b) if finding that the notification, although materially within the jurisdiction of CEU, is inadmissible, the Committee will make a written report which will be communicated to the complaining party. In order to be admissible, the complaints must cumulatively contain the following elements:

- i. the complainant's signature;
- ii. the complainant's identification data: the natural person's name and surname, or the name of the legal person, its address, as well as, where applicable, the correspondence address, which may also be an electronic mail address;
- iii. a substantiated statement of reasons on the non-compliance with the norms of academic ethics and deontology, including specific examples and indicating the supporting considerations and sources of documentation.

c) establishes the membership of the Case Analysis Committee, if finding that the notification is within the jurisdiction of CEU. In this case, the president of CEU designates the members of the Case Analysis Committee. The Case Analysis Committee shall have at least 3 members of whom a minimum of 2 teaching and auxiliary teaching personnel members. One of the teaching personnel members will be appointed as the president of the Analysis Committee

If one of the Analysis Committee members is the president or deputy president of CEU, the latter shall be the president of the Analysis Committee.

d) will communicate to the parties involved, through a written notice, the membership of the Case Analysis Committee via at least one of the following communication methods:

-as regards the academic community members, electronically, to the institutional email address or through the registry office,

- as regards the persons outside the academic community, to the address provided by them, giving them the opportunity to communicate any objections or the opposition to this membership within at most 3 days from the date of receipt of the communication.

No member of CEU may be prevented from being part of a case analysis committee, unless s/he is in a conflict of interest or in a state of incompatibility with the object of the analysis, in which situation s/he must abstain. The persons who are the subject of the notification or complaint may submit a request for the recusal of two Committee members, at the most. The request for the recusal of all the Analysis Committee members or of all the CEU members is inadmissible.

No member of the working groups may be in a conflict of interest or in a state of incompatibility with the object of the analysis, in which situation s/he must abstain.

e) will analyse any request for abstention or recusal registered with the Secretariat of CEU, in the presence of at least 5 members. The request for abstention shall be registered with the Secretariat of CEU within 24 hours of the first meeting of CEU, held according to art. 10, para. (2) hereof. The request for recusal shall be registered with the Secretariat of CEU, through the Registry Office of Transilvania University of Braşov, within 48 hours from the date of communicating the membership of the Case Analysis Committee, according to letter d) of this article or from the date of occurrence of the state of incompatibility.

Any request for recusal or abstention shall be exclusively in writing and must be justified.

If CEU has accepted the request for abstention made by a member of CEU, s/he may neither be nominated for the membership of a case analysis committee, nor exercise his/her right to vote in that case. If CEU has admitted the request for the recusal of a member in a case analysis committee, the latter will neither participate in the case investigation, nor exercise his/her right to vote in that case, being replaced by another member of CEU in that case analysis committee.

f) after settling upon the structure of the Analysis Committee, it will operate according to the procedures in place.

g) will settle the notification within 45 calendar days from its registration with CEU and communicate the result of the procedure, in writing, to the complainant.

Art. 10. (1) If, following the registration of a notification, the Case Analysis Committee ascertains the perpetration or the existence of other facts as well that fall within the deviations from the academic ethics according to the applicable legal provisions, and to the provisions of the Code of Academic Ethics and

Deontology, it will immediately propose the ex-officio notification of CEU on the new facts. As regards the request for self-notification, CEU shall decide within 5 days from the date of registration of the notification for the analysis committee on the case with the Secretariat of CEU. The acceptance of the request for self-notification shall trigger a new research procedure on the deviations from the academic ethics, without affecting the time-limit for the settlement of the initial notification or complaint.

(2) The rules herein on abstention or recusal in case of conflict of interest, as well as on the communication of the start of the procedures and their result shall apply appropriately.

Art. 11. (1) In fulfilling its duties, CEU has the right to hear both the author of the notification and the person concerned, as well as any other person within the academic community who knows about the notified issues. Moreover, CEU may hear any other person that the author of the notification or the person concerned propose to be called to their defence. The rejection of the request to hear a person must be justified. CEU must receive on probation, in the case file, any document considered relevant by the parties, or other documents requested by the Case Analysis Committee.

(2) The persons who are the subjects of the notification and any other persons who know essential elements in settling the case shall be invited, for the conduct of the investigation and hearing, at least 3 days prior to the date of the meeting when they will be heard.

(3) They will be invited through a written notice, with acknowledgement of receipt. Failure to attend does not prevent the unfolding of the procedure. The persons invited to be heard may request the postponement of their hearing for a maximum of 3 days from the initially established date, and in the event of their objective impossibility to appear, they can communicate in writing to the Committee, until the date scheduled for the hearing, their own points of view concerning the aspects which are the object of the notification, and in this latter case the statement can be certified by a lawyer.

Art. 12. (1) The Analysis Committee makes, after having finished its investigation, a case report about its findings concerning the facts which make the object of the notification, as well as the proposals on the settlement of the notification in question. The Analysis Committee shall conduct the research and make the case report within 25 calendar days from the date of appointment of this committee. The case report shall be immediately sent to the secretary of CEU. After receiving the analysis report, the president or deputy president of CEU summons the members of CEU within 5 calendar days, to analyse and decide on the report. The entire previously mentioned procedure must be conducted within 45 calendar days from the date of registering the notification with CEU.

(2) The report made by the president of the Analysis Committee, on the basis of minutes and appendices, is signed by all the members of the Committee. The Committee members' separate opinions must be written down and justified.

(3) The case report of the Analysis Committee and the decisions it made are subject to the approval of CEU which will issue a decision. The point of view expressed by the Analysis Committee does not make it incompatible with the vote cast during the meeting of CEU.

(4) The decision of CEU signed by its president, respectively deputy president, in case of the president's justified absence, on the case report of the Analysis Committee, shall be issued in 5 copies for: CEU, President of the University Senate, Rector, author of the notification, and person targeted by the complaint.

(5) The decision of the Academic Ethics Committee is an administrative document.

Art. 13. (1) The time-limit for the settlement of the notifications addressed to the Ethics Committee is 45 calendar days. This time period begins on the date of registration of the notification with the registry office of the institution, as regards the direct notifications, or in the register for outgoing and incoming documents, as regards the notifications directed at institutional level.

(2) The time-limit shall be suspended for the periods during which the academic teaching personnel is on legal leave, respectively in the case of non-working days by law, and the students are on holiday, according to the provisions of the Law of Higher Education, with subsequent amendments, and to the decision of the Senate of Transilvania University of Braşov on the structure of the academic year. The time-limit may also be suspended for a definite period: before the initiation of the investigation procedure, at the reasoned request of CEU and with the agreement of the complaining party, during the investigation, at the request of either party, with the agreement of both parties.

Art. 14 (1) The decision and the case report of CEU may be contested, within 30 days of communication, at CNEMU, CNATDCU or CNECSDTI, as the case may be, and within the time-limits provided for in the applicable legislation, at courts, according to the Law no. 554/2004 of the administrative litigation, with subsequent amendments.

(2) The appeal registered based on the provisions of para. (1) shall also be communicated to the higher-education institution for the purposes of compliance with the provisions of art. 21 para. (1) hereof.

Art. 15. The proceedings of CEU and of the analysis committees shall be recorded in the Register of minutes which is signed by each participant in the meeting.

Art. 16. The Committee shall keep the case files for 10 years, in an adequate storage space, made available by the Executive Board of the University.

IV. Sanctions

Art. 17. CEU sanctions the offences referred to in the applicable legislation and in the Code of Academic Ethics and Deontology, in proportion to their severity and in accordance with the legal provisions in force.

Art. 18. The sanctions that may be applied to the teaching and research personnel, as well as to the auxiliary teaching and research personnel by the Academic Ethics Committee, even if they fill management positions, for infringement of the academic ethics or for misconduct in scientific research, as the case may be, are the following, according to the applicable legislation:

- a) written notice;
- b) withdrawal and/or correction of all the papers published through infringement of the academic ethics and deontology;
- c) dismissal from the management position;
- d) prohibition, for a determined period, of the access to financing from competitive public funds;
- e) suspension, for a definite period of time, between 1 and 5 years, of the right to register for a competition to fill a higher position or a management position, or as a member of competition committees;
- f) dismissal from the teaching or research position.

Art. 19. (1) The sanctions that may be applied by CEU to the students, doctoral students or other categories of course attendants for the infringement of the academic ethics are the following:

- a) written notice;
- b) annulment of the evaluation results;
- c) suspension, for a definite period (from one month to one semester), or revocation of the scholarship or financing, as the case may be, granted from institutional sources;
- d) prohibition, for a definite period (from one semester to one academic year), of the access to scholarships or funding, as the case may be, granted from institutional sources;
- e) prohibition of the access, for a definite period of at most one year or for an indefinite period, in the student dormitories;

f) expulsion.

(2) The types of sanctions that may be applied by CEU for the infringement of the academic ethics and deontology rules by the post-doctoral researchers are:

a) written notice;

b) annulment of the evaluation results;

c) suspension, for a definite period (from one month to one semester), or revocation of the financing granted from the institutional sources;

d) prohibition, for a definite period (from one semester to one academic year), of the access to the financing granted from the institutional sources;

e) prohibition of the access, for a definite period of at most one year or for an indefinite period, in the student dormitories;

f) termination of the employment contract and notification of the financier, in the case of the financing granted from other sources than the institutional ones.

Art. 20. (1) The sanctions set by the Academic Ethics Committee are implemented, through decision, by the Rector, as appropriate, within 30 days from their issuance as final and binding.

(2) It is incumbent on the University's Legal Department to issue the decision and the address through which the settlement of the case is communicated, as well as to send these documents to the parties involved.

Art. 21. Rights of the complaining party. The complaining party has the following rights:

a. to be guaranteed confidentiality, to the extent that the analysis of the referred case is not hindered;

b. to be informed about the membership of the Case Analysis Committee and to contest it, before the start of the investigation, in case of conflicts of interests or incompatibility;

c. to participate in the procedural stages specific to the settlement of the case;

d. to receive a copy of the case report of the Analysis Committee and of the decision of CEU.

Art. 22. Rights of the party concerned / complained against. The party complained against benefits from the presumption of innocence and has the following rights:

a. to be guaranteed confidentiality, to the extent that the analysis of the referred case is not hindered;

b. to be informed about the membership of the Case Analysis Committee and to contest it, before the start of the investigation, in case of conflicts of interests or incompatibility;

c. to submit written statements and to request to appear before the Case Analysis Committee or before CEU, as the case may be, if s/he appreciates it necessary to substantiate his/her defence;

d. to receive a copy of the case report of the Analysis Committee and of the decision of CEU.

Art. 23. (1) The parties involved have the following obligations:

a) to respond to the requests of the Case Analysis Committee or of CEU, as the case may be, without prejudice to the right to silence of the one concerned;

b) to maintain confidentiality regarding the proceedings, the documents of the Case Analysis Committee or of CEU.

(2) The involved persons' refusal to cooperate with the members of the Case Analysis Committee and of CEU, and to make the requested materials and documents available to the latter shall be mentioned in the minutes, and does not prevent the investigation from continuing and being finalised.

(3) Throughout the investigation of the case, each party involved must conduct himself/herself in a civilized way.

V. Final and transitory provisions

Art. 24. The University's management will provide the necessary conditions for the conduct of the activities specific to CEU fulfilling its attributions.

Art. 25. All the references hereof to the time limits within which any formality must be fulfilled are supplemented with the provisions of the Code of Civil Procedure on the calculation of the time limits.

Art. 26. Any ruling contrary to the provisions hereof regarding the applicable sanctions, as well as to the way of setting them, such as the provisions of the Rules for the Application of the Code of Academic Ethics and Deontology, are abrogated as of the date of approval of these Regulations.

Art. 27. These Regulations enters into force on the date of their approval by the Senate of Transilvania University of Braşov.

These Regulations were discussed and approved in the meeting of the Senate of Transilvania University of Braşov on 18.12.2024.

Prof. Eng. Mircea Horia Țierean, PhD

President of the University Senate

